



## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2023-0189; Airspace Docket No. 23-ASO-02]

RIN 2120-AA66

#### Amendment of Class E Airspace; Shelbyville, TN

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This action amends Class E airspace extending upward from 700 feet above the surface for Bomar Field/Shelbyville Municipal Airport, Shelbyville, Tennessee, as an airspace evaluation determined an update for this airport necessary. This action also updates this airport's geographic coordinates, as well as the geographic coordinates of Ellington Airport. In addition, this action removes the Shelbyville VOR/DME from the description and updates the description header.

**DATES:** Effective 0901 UTC, August 10, 2023. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

**ADDRESSES:** A copy of the Notice of Proposed Rulemaking (NPRM), all comments received, this final rule, and all background material may be viewed online at [www.regulations.gov](https://www.regulations.gov) using the FAA Docket number. Electronic retrieval help and guidelines are available on the website. It is available 24 hours a day, 365 days a year.

FAA Order JO 7400.11G Airspace Designations and Reporting Points and subsequent amendments can be viewed online at [www.faa.gov/air\\_traffic/publications/](https://www.faa.gov/air_traffic/publications/).

You may also contact the Rules and Regulations Group, Office of Policy, Federal

Aviation Administration, 800 Independence Avenue SW, Washington DC 20591;

telephone: (202) 267-8783.

**FOR FURTHER INFORMATION, CONTACT:** John Fornito,

Operations Support Group, Eastern Service Center, Federal Aviation Administration,

1701 Columbia Avenue, College Park, GA 30337; Telephone: (404) 305-6364.

**SUPPLEMENTARY INFORMATION:**

**Authority for this Rulemaking**

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority, as it amends Class E airspace in Shelbyville, TN, to support IFR operations in the area.

**History**

The FAA published a notice of proposed rulemaking for Docket No. FAA 2023-0189 in the *Federal Register* (88 FR 13739; March 6, 2023), amending Class E airspace at Bomar Field/Shelbyville Municipal Airport, Shelbyville, Tennessee. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

**Differences from the NPRM**

Subsequent to publication, the FAA found that Ellington Airport was inadvertently omitted from the airspace description. This action corrects the error.

**Incorporation by Reference**

Class E airspace designations are published in Paragraph 6005 of FAA Order JO 7400.11, Airspace Designations and Reporting Points, incorporated by reference in 14 CFR 71.1 annually. This document amends the current version of that order, FAA Order JO 7400.11G, dated August 19, 2022, and effective September 15, 2022. FAA Order JO 7400.11G is publicly available as listed in the **ADDRESSES** section of this document. These amendments will be published in the next update to FAA Order JO 7400.11.

FAA Order JO 7400.11G lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

### **The Rule**

This action amends 14 CFR part 71 by amending Class E airspace extending upward from 700 feet above the surface for Bomar Field/Shelbyville Municipal Airport, Shelbyville, Tennessee, as an airspace evaluation determined an update for this airport necessary. This action also updates this airport's geographic coordinates, as well as the geographic coordinates of Ellington Airport. In addition, this action removes the Shelbyville VOR/DME from the description, as it is not necessary to describe the airspace, and updates the description headers by removing the city names of each airport line. Controlled airspace is necessary for the safety and management of instrument flight rules (IFR) operations in the area.

### **Regulatory Notices and Analyses**

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified

that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

### **Environmental Review**

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, “Environmental Impacts: Policies and Procedures,” paragraph 5-6.5a.

This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant the preparation of an environmental assessment.

### **Lists of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

### **The Amendment**

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

### **PART 71 -DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS**

1. The authority citation for part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

#### **§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11G, Airspace Designations and Reporting Points, dated August 19, 2022, and effective September 15, 2022, is amended as follows:  
  
Paragraph 6005. Class E Airspace Areas Extending Upward from 700 feet or More Above the Surface of the Earth.

\* \* \* \* \*

**ASO TN E5 Shelbyville, TN**

Bomar Field/Shelbyville Municipal Airport, TN

(lat. 35°33'34"N., long. 86°26'33"W.)

Ellington Airport, TN

(lat. 35°30'25"N., long. 86°48'14"W.)

That airspace extending upward from 700 feet above the surface within a 9-mile radius of the Bomar Field/Shelbyville Municipal and within 4 miles on each side of the 195° bearing from the airport, extending from the 9-mile radius to 14.5-miles south of the airport, and within 4 miles each side of the 359° bearing from the airport, extending from the 9-mile radius to 12-miles north of the airport, and within a 9-mile radius of Ellington Airport.

Issued in College Park, Georgia, on April 29, 2023

**LISA E BURROWS, Manager**

**Airspace & Procedures Team North,**

**Eastern Service Center, Air Traffic Organization**

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